

C/M
FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GARY O. GILLARD, *pro se*,

Plaintiff,

-against-

ROBERT J. GAFFNEY, et. al.,

Defendant.

X BROOKLYN OFFICE

:
: ORDER (DLI) (MLO)
: 00-CV-5945

X

DORA L. IRIZARRY, U.S. District Judge:

The court has received plaintiff's "Request for Default to be Filed for Failure to Defend" dated March 16, 2006. Plaintiff raises various discovery issues in his motion papers. Defendant apparently have failed to respond to plaintiffs interrogatories that were filed in compliance with the discovery schedule set by the magistrate judge. Defendants opposed plaintiff's default motion in a letter dated March 31, 2006. Based upon the court's review of these documents and the procedural posture of this matter, It is hereby

ORDERED that plaintiff's default motion is summarily DENIED; and it is further hereby

ORDERED that this action, is referred to Magistrate Judge Michael L. Orenstein for resolution of any and all outstanding discovery issues.

DATED: Brooklyn, New York
April 3, 2006

DORA L. IRIZARRY
United States District Judge